

## **JOINT NOTICE OF PROPOSED ACTIONS**

by the

U.S. Environmental Protection Agency  
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California Regional Water Quality  
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On Re-issuance of a National Pollutant  
Discharge Elimination System (NPDES)  
Permit to Discharge Pollutants to  
Waters of the United States

On Re-issuance of Waste Discharge  
Requirements to Discharge to Surface  
Waters of the State

Public Notice: July 21, 2004

The U.S. Environmental Protection Agency, Region IX (USEPA) and California Regional Water Quality Control Board, Santa Ana Region (Regional Board) are jointly issuing the following notice of proposed actions under the Clean Water Act (CWA) and regulations thereunder, and Division 7 of the California Water Code and regulations thereunder. The USEPA and Regional Board are today proposing to reissue an NPDES permit and Waste Discharge Requirements to the following discharger:

Orange County Sanitation District  
10844 Ellis Avenue  
Fountain Valley, CA 92728-8127

In addition, the Regional Board is proposing to issue a concurrent Time Schedule Order specifying a time schedule for compliance with certain terms of the reissued NPDES permit and Waste Discharge Requirements. The USEPA and Regional Board will conduct a public workshop on these proposed actions on August 13, 2004, at 9:00 a.m., at the following location:

City of Santa Ana  
City Council Chamber  
22 Civic Center Plaza  
Santa Ana, California

The USEPA and Regional Board will conduct a public hearing on these proposed actions on September 17, 2004, at 9:00 a.m. The Regional Board will consider adoption of State Waste Discharge Requirements and the Time Schedule Order at this hearing. If adopted by the Regional Board, these requirements will become effective upon issuance of a final determination on the NPDES permit by USEPA. The joint public hearing will be held at the following location:

City Council Chambers of Loma Linda  
25541 Barton Road  
Loma Linda, California

The Regional Board intends that its joint issuance of this NPDES permit with USEPA will serve as its certification under CWA section 401 that any discharge pursuant to this permit will comply with CWA provisions at 33 U.S.C. 1311, 1312, 1313, 1316, and 1317. Therefore, any issues regarding certification under CWA section 401 may also be raised during the public comment period.

The discharger operates Reclamation Plant No. 1 located in Fountain Valley, and Treatment Plant No. 2 located in Huntington Beach, California. Disinfected blended primary and secondary treated municipal wastewater is discharged from these plants to the Pacific Ocean through Outfall Serial No. 001, located approximately 4.5 miles offshore from the mouth of the Santa Ana River, at a depth of 195 feet. Sewage solids are treated and either land applied or disposed of at a municipal solid waste landfill.

The USEPA and Regional Board have jointly drafted an NPDES permit incorporating applicable federal requirements and State Waste Discharge Requirements. The draft permit contains effluent limitations for the following pollutant parameters: biochemical oxygen demand (5-day), total suspended solids, and pH in accordance with federal secondary treatment standards; and oil and grease, settleable solids, turbidity, and 16 toxic chemicals in accordance with the California Ocean Plan. The Regional Board has also drafted a Time Schedule Order to address compliance with the secondary treatment standards in the proposed permit. (Please note that the USEPA and Regional Board expect that compliance with secondary treatment standards governing the discharge will also be addressed by a complaint to be filed and a consent decree to be lodged shortly after the effective date of this permit. The public will be given notice and an opportunity to comment upon the consent decree before it becomes effective.) The draft permit also contains additional conditions including monitoring and reporting requirements to evaluate: the impact of the discharge on marine biota, compliance with water quality standards, and toxic substances in the discharge.

The Administrative Record, which includes the draft permit, fact sheet, time schedule order, comments received, permit application, and other relevant documents, is available for review at the USEPA and Regional Board addresses above, Monday through Friday, between 9:00 a.m. and 3:00 p.m., beginning July 21, 2004. The draft permit can also be viewed at and/or downloaded from the Regional Board's website at [www.swrcb.ca.gov/rwqcb8](http://www.swrcb.ca.gov/rwqcb8), beginning July 21, 2004. Interested persons are invited to attend the public workshop and hearing and express their views on the draft permit and time schedule order. To assure the accuracy of the record, all oral statements should be submitted also in writing. Please note that time limitations of 15 minutes or less will be imposed on presentations, unless otherwise determined by the Regional Board Chair and USEPA Hearing Officer. Although the public comment period will remain open through the close of the public hearing on September 17, 2004, persons wishing to comment upon the draft permit and/or time schedule order are strongly encouraged to submit their comments in writing by August 20, 2004 to facilitate consideration of the comments by the USEPA and Regional Board. Written comments should be submitted either in person or by mail to the attention of Robyn Stuber at USEPA and Jun Martinez at the Regional Board at the addresses shown above. All timely comments received will be retained and considered in the formulation of the final determination regarding the draft permit.

When a final NPDES permit is issued, it will become effective 33 days following the date it is mailed to the discharger, unless a request for review is filed. If a request for review of the federal NPDES permit is filed, only those permit conditions that are uncontested will go into effect pending disposition of the request for review. Requests for review of the federal permit must be filed within 33 days following the date the final permit is mailed and must meet the requirements of 40 CFR 124.19. All requests for review of the federal permit should be addressed to the Environmental Appeals Board. Those persons filing a request for review must have filed comments on the draft permit, or participated in the public workshop or hearing. Otherwise, any such request for review may be filed only to the extent of changes from the draft to the final permit decision.

Please bring the foregoing notice to the attention of all persons who you know would be interested in this matter. Any person who is physically handicapped and requires special accommodation to participate in the public workshop or hearing should contact Catherine Ehrenfeld at (951) 782-3285 no later than **July 30, 2004**, or **September 3, 2004**, respectively.